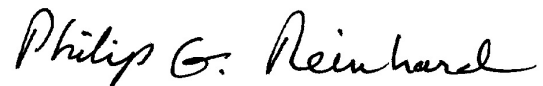


United States District Court, Northern District of Illinois

Name of Assigned Judge or Magistrate Judge	Philip G. Reinhard	Sitting Judge if Other than Assigned Judge	
CASE NUMBER	08 C 50027	DATE	3/18/2008
CASE TITLE	BenyeHudah Whitfield # N74277 v. McCaffrey		

DOCKET ENTRY TEXT:

Plaintiff is given until April 18, 2008, either to file an *in forma pauperis* application on the enclosed form with the information required by § 1915(a)(2) or to pay the full \$350 filing fee. If Plaintiff takes no action by that date, the court will dismiss the complaint without prejudice. The clerk is directed to send Plaintiff an *in forma pauperis* application along with a copy of this order. The clerk is further directed to send a copy of this order to the trust officer at Pontiac Correctional Center. Additionally, by April 18, 2008, Plaintiff must show cause why this case should not be dismissed under *res judicata*, having brought the very same case as *Whitfield v. Circuit Court of Lee County*, 06 C 50138, dismissed on February 27, 2007, and the appeal dismissed October 15, 2007.



■ [For further details see text below.]

Docketing to mail notices.

STATEMENT

Plaintiff filed this case without either paying the filing fee or seeking leave to proceed *in forma pauperis*. Effective April 26, 1996, the Prison Litigation Reform Act ("PLRA") significantly changed the procedures in prisoner litigation brought without prepayment of the filing fee. This Court requires that persons seeking leave to file *in forma pauperis* file their motions on a prescribed form. LR 3.3. The form requires inmates to obtain a certificate stating the amount of money they have on deposit in their prison or jail trust fund account. Plaintiff did not use the prescribed form, did not submit the six month trust account statement and did not have the motion certified by an authorized officer at the jail.

To enable the court to make the necessary initial assessment of the filing fee, Plaintiff must submit the required *in forma pauperis* form, and also "submit a certified copy of the trust fund account statement (or institutional equivalent) for the prisoner for the 6-month period immediately preceding the filing of the complaint or notice of appeal, obtained from the appropriate official of each prison at which the prisoner is or was confined." 28 U.S.C. § 1915(a)(2).

If Plaintiff wishes to proceed with this case *in forma pauperis* he must file an *in forma pauperis* application on the form required by the rules of this court together with a certified copy or copies of his trust fund statements reflecting all activity in his accounts in the immediately preceding six-month period. Additionally, Plaintiff has advised the court that he has brought this case before, as *Whitfield v. Circuit Court of Lee County*, 06 C 50138. He must submit a pleading to show cause why this case should not be dismissed as the same case as this earlier case, pursuant to the doctrine of *res judicata*. Failure to comply with all terms of this order will result in dismissal with prejudice.

Courtroom Deputy

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